



# **CITY OF SANTA BARBARA**

## **ORDINANCE COMMITTEE AGENDA REPORT**

**AGENDA DATE:** December 7, 2021

**TO:** Ordinance Committee

**FROM:** Community Development Department

**SUBJECT:** Sidewalk Vending Ordinance

### **RECOMMENDATION:**

That the Ordinance Committee consider a proposed Ordinance of the Council of the City of Santa Barbara Amending Title 9 of the Santa Barbara Municipal Code by the Addition of Chapter 9.49 to Regulate Sidewalk Vending in Accordance with State Law.

### **DISCUSSION:**

On August 3, 2021, staff presented a proposed sidewalk vending ordinance to the City Council Ordinance Committee (Ordinance Committee) for review and comment (Attachment 1). The Ordinance Committee members had a range of questions and comments for staff regarding how the proposed ordinance would regulate sidewalk vending. The Committee expressed concern about accommodating sidewalk vendors during Old Spanish Days and directed staff to seek additional community input.

Based on the Ordinance Committee's comments and feedback, the proposed sidewalk vending ordinance was updated (Attachment 2) to reflect the committee's feedback and input from several business organizations. Overall, the feedback was focused on protecting public access and path of travel on sidewalks, crosswalks, and other high volume pedestrian areas such as Stearns Wharf, portions of the waterfront, and Downtown State Street sidewalks. Also, a provision has been added allowing for sidewalk vending of *cascarónes* and other non-food items on State Street and on the sidewalk adjacent to the curb in downtown during the week of the Old Spanish Days Fiesta.

In addition, public messaging on the updated proposed ordinance and the Ordinance Committee's December 7, 2021, meeting was conducted via social media and the City's website. Outreach to sidewalk vendors was conducted by staff from various departments who distributed summary fact sheets, both in English and Spanish, of the proposed ordinance and a notice of the Ordinance Committee meeting.

Lastly, the Council-adopted Economic Development Plan includes an objective to address opportunities for the creation and operation of microenterprise businesses. The recommended adoption of the proposed sidewalk vending ordinance would address this economic development objective.

#### Updates to the Proposed Ordinance

##### *Location regulations:*

- Sidewalk vending is prohibited in park, waterfront, and beach parking lots.
- State Street Promenade – Sidewalk vending is prohibited on sidewalks in downtown State Street from Cabrillo Boulevard to Victoria Street with the exception of the week of Old Spanish Days.
- Stearns Wharf – Sidewalk vending is prohibited from the Cabrillo Boulevard intersection to the end of Stearns Wharf.
- Stationary sidewalk vending is permitted on the south side of Cabrillo Boulevard as long as the vending cart is located furthest from the street and a clear pedestrian path of travel of at least eight feet is maintained along the sidewalk. Stationary sidewalk vending is prohibited on the north side of Cabrillo Boulevard.

##### *Operational requirements include:*

- Attached umbrellas on vending carts cannot exceed 48 inches in diameter and can be no shorter than 80 inches.

**ATTACHMENT(S):** 1. August 3, 2021, Ordinance Committee Agenda Report  
2. Draft Sidewalk Vending Ordinance

**PREPARED BY:** Jason Harris, Economic Development Manager

**SUBMITTED BY:** Eli Isaacson, Community Development Director

**APPROVED BY:** Community Development Department